



U.S. Department of Justice

Environment and Natural Resources Division

E-5
9-22-03

DJ#90-11-3-504/2

Environmental Enforcement Section
P.O. Box 7611
Washington, DC 20044-7611

Telephone (202) 514-2750
Facsimile (202) 514-0097

September 22, 2003

RECEIVED
SEP 22 2003

SUPERFUND DIVISION
OFFICE OF THE DIRECTOR

William E. Muno
Director, Superfund Division
U.S. Environmental Protection
Agency, Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

Re: Approval of Proposed Administrative Order on Consent under CERCLA
Section 122(g) at the NL Industries/Taracorp Superfund Site in Granite City,
Venice and Madison, Illinois.

Dear Mr. Muno:

The Department of Justice has reviewed the proposed Administrative Order on Consent ("AOC") that would resolve claims of the United States Environmental Protection Agency (EPA) against each of the seventy-five (75) parties identified on Attachment A hereto. Each of the settling parties contributed less than one percent of the documented volume of wastes sent to the NL Industries/Taracorp Superfund Site located in Granite City, Venice and Madison, Illinois. Pursuant to Section 122(g)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. § 9622(g)(4), the Department approves the Administrative Order on Consent, which has been signed on behalf of each of the respondents identified on Attachment A and on behalf of EPA.

Also enclosed, please find original signature pages for three settling federal agencies that are participating in the de minimis settlement relating to the NL Industries/Taracorp Superfund Site in and around Granite City, Illinois.

Sincerely,

W. Benjamin Fisherow
Deputy Chief, Environmental Enforcement Section
Environment & Natural Resources
Division

enc.

EPA Region 5 Records Ctr.



258655

ATTACHMENT A

De Minimis Settling Parties

1. Mayfield Manufacturing Company f/k/a 3-H Industries
2. A. Edelstein & Sons
3. A.O Smith Corporation
4. Ace Comb Company
5. Acme Iron & Metal Co.
6. Acro Sale & Engineering
7. Allied Metal Company
8. Amax Inc./Amax Lead & Zinc a/k/a Cyprus Amax Minerals Company
9. American National Can Company
10. Baker Iron & Metal
11. Ball Metal & Chemical
12. Barter Machinery & Supply Company
13. Bill's Auto Parts
14. C.L. Downey Company
15. Braschnewitz Corp. n/k/a CNC Industries, Inc.
16. Cerro Copper Products Co.
17. Daimler-Chrysler Corporation
18. Crown Beverage Packaging, Inc. a/k/a Continental Can Company
19. Delhi Battery & Supply Co, Inc.
20. Douglas Battery Manufacturing Comp.
21. Dumes, Inc.
22. Elden R. Erikson & Sons, Inc.
23. Electro Battery Manufacturing Co.
24. Farmland Industries
25. Fisher Steel & Supply Co.
26. G & M Scrap Metal
27. U.S. - General Services Administration
28. Grossman Iron & Steel Company
29. Herman Strauss, Inc.
30. Houston Salvage
31. Industrial Electrical Equipment Co.
32. Intra-American Metals
33. J. Trockman & Sons
34. L. Kahn & Sons f/k/a L. Kahn & Son
35. La Salle Steel Company
36. Lear Corporation EEDS & Interiors f/k/a Bryan Manufacturing
37. Lewis Salvage Co.
38. M. Katch & Co. Inc.
39. Mc Graw Edison Company
40. Mallin Brothers Company
41. Marco Steel Supply
42. Martin Brothers Mill & Foundry Supply
43. McKinlay Iron, Inc.
44. Miller Compressing Company
45. Milwaukee Scrap Metal Co.
46. Modine Manufacturing
47. Morris Tick Company

De Minimis Settling Parties continued

48. Northbrook Sports Club
49. Qwest f/k/a Northwestern Bell Telephone Company
50. Olin Corporation
51. Parks Pioneer Company, LLC f/k/a Parks Iron & Metal
52. The Peltz Group, Inc. f/k/a Peltz Brothers
53. Pequena Battery Company
54. General Mills, Inc./The Pillsbury Company a/k/a Pet, Inc.
55. Schering - Plough Healthcare Products, Inc. f/k/a Plough, Inc.
56. Stanford Linear Accelerator
57. Newman/Allen Enterprises, Inc. f/k/a Sam Allen & Son, Inc.
58. College of the Ozarks f/k/a School of the Ozarks
59. Schuster Metals, Inc.
60. Sensor Metal Company
61. Shapiro Sales Company
62. Slesnick Iron & Metal
63. Southwestern Bell Telephone Company
64. Stewart-Warner Corp.
65. Omni Source Corp Foundry f/k/a Superior Companies, Inc.
66. The Board of Trustees of the University of Illinois
67. Unicor Federal Prison Industries, Inc.
68. Vivo Iron & Metal
69. Wallach Iron & Metal Company
70. Willoughby Iron & Waste Material Co.\$21,639.60
71. Westinghouse Air Brake Technologies Corporation - Wabtec f/k/a -
Young Radiator Company
72. Parkans International, Inc.
73. Sherwin - Williams
74. Rankin Technical Institute
75. Crown Cork & Seal Corporation

**NL Industries(Taracorp) Superfund Site
De Minimis Consent Order**

THE UNDERSIGNED RESPONDENT enters into this Consent Order in the matter of **NL Industries(Taracorp) De Minimis Consent Order**, relating to the NL Industries(Taracorp) Superfund Site in Granite City, Madison and Venice, Illinois:

NAME OF RESPONDENT: U. S. General Services Administration

ADDRESS OF RESPONDENT: Office of the Regional Counsel
230 S. Dearborn Street, Room 3786
Chicago, IL60604-1503

Attn: Carl E. Smith, Assistant Regional Counsel

By:



[Signature]

1/28/2002

[Date]

GRANT JAHR

[print name]

NL Industries(Taracorp) Superfund Site
De Minimis Consent Order

THE UNDERSIGNED RESPONDENT enters into this Consent Order in the matter of **NL Industries(Taracorp) De Minimis Consent Order**, relating to the NL Industries(Taracorp) Superfund Site in Granite City, Madison and Venice, Illinois:

NAME OF RESPONDENT: Federal Bureau of Prisons/Federal
Prison Industries, Inc.

ADDRESS OF RESPONDENT: 320 First Street N.W.
Room 754

Washington, D.C. 20534

By:

Steve Schwalb
[Signature]

1-28-02
[Date]

Steve Schwalb, Assistant Director, Federal Bureau of
[print name] Prisons/Federal Prison Industries, Inc.

**NL Industries(Taracorp) Superfund Site
De Minimis Consent Order**

THE UNDERSIGNED RESPONDENT enters into this Consent Order in the matter of **NL Industries(Taracorp) De Minimis Consent Order**, relating to the NL Industries(Taracorp) Superfund Site in Granite City, Madison and Venice, Illinois:

NAME OF RESPONDENT: Stanford Linear Accelerator
(via U.S. Department of Energy)

ADDRESS OF RESPONDENT: U.S. Department of Energy
OCC/GLD (Attn: J. Diersing)
1301 Clay Street, Suite 700-N
Oakland, CA 94612

By: Stanley L. Wheeler
Stanley L. Wheeler
Contracting Officer
Department of Energy/NNSA
Oakland Operations Office

March 20, 2002

SPENCER FANE

BRITT & BROWNE LLP

ATTORNEYS & COUNSELORS AT LAW

E.5
4-18-03

KATHLEEN M. WHITBY
kwhitby@spencerfane.com

April 18, 2003

Clerk's Office
United States District Court
Southern District of Illinois
301 West Main
Benton, IL 62812

Re: United States v. NL Industries, Civil Action No. 91-CV-578-JLF; Motion for Case Management Order No. 2, with Exhibit and Proposed Case Management Order

Dear Sir or Madam:

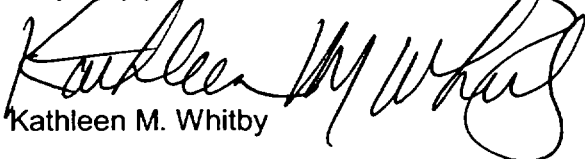
Pursuant to the Court's request at our March 18 telephone status conference, enclosed for filing please find an original and two copies of the following documents:

Motion for a Second Case Management Order;
A proposed Second Case Management Order; and
Exhibit A, which is an attachment to the Motion.

All parties represented at the status conference have consented to the proposed Case Management Order.

I would appreciate it if you would return a file-stamped copy of the documents to me in the enclosed self-addressed, stamped envelope. Thank you in advance for your attention to this matter. Please feel free to call with questions or concerns.

Very truly yours,


Kathleen M. Whitby

Enclosures

cc: Service List
G. Vierkant, Lucent Technologies, Inc.
C. Helmstetter